



RAJASTHAN HIGH COURT  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

D.B. Civil Writ Petition No. 5128/2026

Apoorva Agrawat D/o Jaydev Prakash, Aged About 34 Years, R/o 573, Gandhi Nagar, Mandiya Road, Pali, District Pali, Rajasthan - 306401

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Government Of Rajasthan, Environment Department, Jaipur, Rajasthan.
2. Principal Secretary, Department Of Tourism, Government Of Rajasthan, Jaipur, Rajasthan.
3. Chief Conservator Of Forests (Hoff), Aranya Bhawan, Jhalana Institutional Area, Jaipur, Rajasthan.
4. Deputy Conservator Of Forest, Pali, Near Railway Station, Pali, Rajasthan.
5. District Collector, Pali, Collectorate Pali, Rajasthan.
6. Regional Transport Officer (Rto), District Pali, Rajasthan.
7. Union Of India, Through The Secretary, Ministry Of Environment, Forest And Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Dehli - 110003.

-----Respondents

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For Petitioner(s) : Mr. Karan Singh Shekhawat  
Mr. Mahendra Kumar Gurjar

For Respondent(s) : Mr. Mahaveer Bishnoi, AAG assisted  
by Mr. Harshvardhan Singh  
Mr. B.L. Bhati, AAG assisted by  
Mr. Deepak Chandak  
Mr. Bharat Vyas, ASG cum Sr. Adv.  
assisted by Mr. T.C. Sharma and  
Mr. Abhishek Aggarwal  
Ms. Aditi Sharma, AAAG for  
Mr. N.S. Rajpurohit, AAG

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**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI**

**HON'BLE MR. JUSTICE SANDEEP SHAH**

**Order**

**28/04/2026**

**REPORTABLE**

***"The earth does not belong to man; man belongs to the earth."***



1. This enduring principle underscores that ecological preservation is not merely an environmental concern but a foundational condition for the survival of life itself.

2. This Court is called upon to examine issues pertaining to the protection of wildlife, particularly leopards, in the Jawai region of the State of Rajasthan, in the backdrop of increasing instances of unauthorized construction and other illegal activities affecting the natural habitat.

3. This Court notes that the protection of wildlife and the preservation of ecological balance are not matters of mere environmental policy, but are inextricably intertwined with the guarantee of life and personal liberty under Article 21 of the Constitution of India. The expression "life" under Article 21 has, through consistent judicial interpretation, been accorded an expansive meaning so as to include the right to a wholesome, pollution-free and ecologically balanced environment. The survival of wildlife species and the maintenance of biodiversity constitute essential components of this ecological equilibrium, without which the quality of human life itself stands imperilled.

4. This Court further notes that Article 48A of the Constitution casts a positive obligation upon the State to protect and improve the environment and to safeguard forests and wildlife, thereby recognizing environmental preservation as a core governance function. Correspondingly, Article 51A(g) imposes a fundamental duty upon every citizen to protect and improve the natural environment, including forests and wildlife, thereby reflecting a





shared constitutional responsibility between the State and its citizens.

5. In this constitutional framework, the protection of wildlife habitats cannot be treated as a matter confined to administrative discretion or regulatory compliance. Any degradation of such habitats, whether by unauthorized construction, unregulated commercial activity or otherwise, strikes at the heart of the constitutional mandate. The issue, therefore, clearly transcends the realm of ordinary statutory enforcement and enters the domain of enforceable constitutional obligation, warranting judicial scrutiny and intervention where necessary.

6. It is in the aforesaid Constitutional backdrop that the present case assumes significance. The Jawai region represents a unique and ecologically sensitive landscape characterized by distinctive granite hill formations, an extensive network of natural caves, and water bodies that together provide an ideal and naturally evolved habitat for leopards. Notably, the region has, over time, developed into a rare and remarkable example of harmonious coexistence between humans and wildlife, particularly with local pastoral communities, where tolerance and adaptation have enabled the sustenance of both livelihoods and wildlife populations in close proximity.

6.1. However, this fragile ecological balance is increasingly threatened by unregulated tourism, illegal mining, and unauthorized construction activities, which have the effect of





fragmenting habitat, disturbing wildlife movement, and undermining the sustainability of the region.

7. This Court notes that the Jawai landscape supports a significant leopard population, estimated to be approximately 50–70, making it one of the highest density leopard habitats in the country. As per Press Information Bureau (PIB), at the national level, India hosts a substantial leopard population, estimated at approximately 13,874, a significant proportion of which exists outside formally protected areas, thereby increasing vulnerability to anthropogenic pressures.

8. This Court notes that the leopard (*Panthera Pardus*) is classified as a “Vulnerable” species at the global level, with declining population trends attributed to habitat loss, poaching and increasing human–wildlife conflict across its range. In the Indian context, the species is accorded the highest degree of statutory protection, being included as a Schedule- I species under the Wild Life (Protection) Act, 1972 since the year 1980. Such classification reflects a clear legislative intent to ensure not merely the survival of the species but also the preservation and integrity of its natural habitat. Consequently, any harm, disturbance or interference with the species, or degradation of its habitat, attracts stringent legal consequences and warrants strict regulatory and judicial scrutiny.

9. In this context, regions such as Jawai assume heightened ecological significance, not only within the national framework, but also in contributing to the conservation of the species at global level.





10. It is in the aforesaid backdrop that the present proceedings commenced, and this Court, vide the concerned note, issued notices on the PIL concerning the Jawai landscape, which is one of the world-renowned habitats for leopards. Article 48-A of the Constitution of India became the basis of the cornerstone and the invitation of the proceedings in question and reads as follows:

**"48A. Protection and improvement of environment and safeguarding of forests and wild life.—** *The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country."*

11. The Court sought assistance of learned counsel Mr. Mahaveer Bishnoi, AAG, Mr. B.L. Bhati, AAG and directed to immediately respond to the following prayer, made in the petition:

*"In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Court may be pleased to:*

**a.** *Issue an appropriate writ, order or direction directing the Respondent State to identify, map and notify all active leopard caves, dens and breeding sites in the Jawai region of District Pali, Rajasthan, including villages Kothar, Vellar, Mori Bera, Raghunathpura, Varaval, Bera, Doodni, Jeevda, Sena, Bisalpur and Perwa.. Direct the Respondents to undertake a comprehensive scientific assessment of the entire Jawai landscape and to rationalise, consolidate and suitably extend the existing "Jawai Dam Leopard Conservation Reserve" notifications dated 27.02.2013 and "Jawai Dam Leopard Conservation Reserve-II" notification dated 15.06.2018 so as to include all remaining leopard-inhabited hills, caves, foothills and movement corridors, in the Jawai region of District Pali, Rajasthan, including villages Kothar, Vellar, Mori Bera, Raghunathpura, Varaval, Bera, Doodni, Jeevda, Sena, Bisalpur and Perwa, while ensuring that*





*traditional grazing rights of local communities remain unaffected.*

**b.** *Direct that no construction activity of any nature shall be permitted within a minimum aerial distance of 1000 Meters from the foothills of identified leopard caves and dens. All No Objection Certificates (NOCs) granted for any type of constructions within 1000 meters from foothills, where leopard cave/den is situated, be declared null and void. Direct review and reform of the No Objection Certificate granting process, so that wildlife presence and habitat sensitivity are mandatorily assessed before issuance. Direct that NOCs granted in violation of wildlife protection principles be reviewed and reconsidered. All NOCs must be reviewed again on new parameters of distance.*

**c.** *Direct prohibition of barbed wire fencing within a radius of 2000 meters from the foothills of leopard caves/dens, so as to ensure free and safe movement of leopards and other wildlife. Direct removal or modification of existing fencing that obstructs established wildlife corridors. Direct District Collector Pali to remove all encroachments on the lands of Rajasthan Government, which is illegally occupied by method of barbed wire fencing by any person or any tourism unit.*

**d.** *Direct the Respondents to frame and notify specific guidelines for tourism activities in the Jawai region, including location, design, scale and operation of tourism units. Direct that no tourism unit shall be conceptualized or marketed on the premise of direct visual access to leopards from rooms or private premises, as such practices cause continuous disturbance to wildlife. Direct suspension of approvals and construction of tourism units found to be in violation of wildlife protection norms.*

**e.** *Direct the Respondents to regulate safari operations in the Jawai region on parity with established wildlife tourism models, including those applicable in National Parks and Wildlife sanctuaries. Direct fixation of:*

**>** *maximum number of safari vehicles,*





- *designated routes,*
  - *Timing restrictions including complete ban on night safaris.*
  - *Mandatory conduct guidelines for safari operators.*
- Direct the Regional Transport Authority to ensure that:*
- *No old or mechanically unfit vehicle is permitted for safari purposes, at par with norms adopted in other national parks and wildlife sanctuaries.*
  - *Vehicles comply with fitness, emission and noise norms.*
- f.** *Direct constitution of a multi-departmental committee comprising representatives of:*
- *Forest Department,*
  - *Revenue Department,*
  - *Tourism Department,*
  - *Local Administration,*
  - *And wildlife experts, to oversee implementation of directions issued by this Hon'ble Court.*
- g.** *Direct periodic reporting to this Hon'ble Court regarding compliance and ecological impact.*
- h.** *Any other appropriate order which this Hon'ble Court deems fit and proper in the facts and circumstances of the case, may also kindly be passed in favour of the petitioner."*

12. An interim order dated 23.03.2026 was passed restricting night safari. Mr. Mahaveer Bishnoi, personally visited the area in question along with the two lawyers, Mr. Abhimanyu Singh and Ms. Aishwarya, whose assistance he further took, as they belong to the concerned area. The learned AAG on affidavit has filed the response of the respondents with the help of all the experts, the officers and the authorities concerned. Learned AAG submits that the Leopard to the Jawai landscape are found predominantly outside the forest areas, who are now been threatened of their existence itself, by the prominent Eco-tourism, and indiscriminate expansion of Eco-tourism destination by various commercial





activities and uncontrolled safari & ancillary activities. The learned AAG has pointed out that until now no particular authority/committee was there to monitor or regulate in the mixed canvas of the protected area, Government land and the private owned land. At the same time, the learned AAG submits that the authorities are very serious, considering the issue involved is pertaining to Indian Leopard with Schedule-I status and of the safety of the wild animal and animal habitate and the possible changes in their behavior due to human conflict jeopardizing the eco system.

13. The learned AAG submits that the main challenges faced by forest department in regulating the eco tourism in area, are for the following reasons:-

**(i)** *Presence of leopards and their caves outside forest areas including in privately owned lands limits the accessibility and area control by the Forest Department.*

**(ii)** *No fixed safari routes, clusters and entry-exit points demarcated leading to difficulty in monitoring by the forest field staff.*

**(iii)** *Absence of registration of Gypsy safari vehicles, their drivers and naturalist/ guides with the Forest department leads to inability of ensuring their training, skill development, aptitude building, discipline and control.*

**(iv)** *The Jawai Range is equipped with limited staff and logistic support to control an expanse of almost 250 Sq.km of forest and non-forest land that the Jawai landscape in a whole encompasses."*

14. The learned AAG further submits that the forest department has proactively taken initiatives to control illegal and unethical tourism activities by adopting following measures:

**(a)** *Patrolling of area, specially near leopard caves to control safari behaviour and to ensure safety of leopards and tourists both.*





*(b) Patrolling during nights to prohibit night safaris, baiting, harassment of animals by flash lights or loud noise and taking action against wrongdoers by issuing penalties on them.*

*(c) Creation of boundary fencing at a buffer distance from the cave entrances to stop vehicles from going too close to the caves.*

*(d) Use of drone technology, camera trapping for patrolling and wildlife behaviour assessment.*

*(e) Awareness and educative workshop of gypsy drivers and hotel managers.*

*(f) Sensitisation of local people, especially children, regarding the importance of wildlife."*

15. Learned AAG further submits that issue was taken at the highest priority with the State Board of Wildlife's in its meeting dated 07.11.2025 while directing that an SOP for management and regulation of Eco-tourism in the Jawai landscape will be prepared and implemented to ensure sustainable and safe tourism in the area. Learned AAG further submits that the forest department experts and authorities along with additional advocate generals formulated the following issues which are arising in the area. He has filed an affidavit narrating the issue formulated, which are as under:

**"1. Disturbance to Leopard Habitat & Breeding Sites**

*The Jawai landscape represents a unique human-wildlife coexistence system wherein leopard habitats, including natural caves and denning sites, are distributed across a mixed land-use matrix. Many caves are located in revenue areas including on privately owned lands.*

*The Forest Department, in discharge of its statutory obligations under the Wildlife (Protection) Act, 1972, has been consistently undertaking measures to safeguard such ecologically sensitive habitats, particularly breeding and cub-rearing sites. These include construction of trenches around identified caves to prevent close vehicular approach, installation of physical barriers such as Juliflora fencing to restrict informal access routes, deployment of*





camera traps for continuous monitoring, use of drone-based surveys for mapping sensitive zones, and active field-level regulation by frontline staff to control vehicular congregation near denning sites.

It is submitted that these measures have significantly curtailed direct disturbance to leopard breeding sites and have strengthened protection of critical habitats. Further stronger measures can be taken if the caves are notified and a buffer distance is decided where barriers may be created to stop the vehicles from going very close to the caves. This will not only protect the leopards but will also help prevent human-wildlife conflict that may be caused due to excessive disturbance to the leopards.

## **2. Unregulated Safari Operations**

The gypsy safaris for leopard sighting happen mostly in revenue areas without any fixed routes, clusters or entry and exit points. These safaris operate in almost an expanse of 250 Sqkm at different cave locations as per the movement of leopards.

The main challenges faced by the Forest Department in regulating safaris are:

1. The gypsies, drivers and guides are not registered with the Forest Department thus making monitoring tough.
2. The safari vehicles are not fitted with GPS systems to monitor the time and location of safaris.
3. There are no fixed entry-exit points, routes and clusters to monitor the number of vehicles and their movement.
4. It is further submitted that the Department has undertaken continuous patrolling, including intensified night patrolling in vulnerable areas, to prevent illegal activities such unauthorized safari operations. Legal action has been initiated against violators and multiple cases have been registered in recent times. In addition, sensitization workshops have been conducted with safari drivers and operators to promote self-regulation and responsible tourism practices.

It is submitted that these measures have resulted in a significant decline in illegal safari activities and improved compliance among stakeholders.

It is further submitted that, to institutionalize safari regulation: Regulation of safari timings strictly to between sunrise and sunset; Mandatory registration of safari





vehicles, drivers and guides with the Forest Department will avoid unfit and vehicles as well as prohibit driving by underage or unskilled drivers.

Implementation of GPS-based monitoring for all registered vehicles: Standards used in Tiger Reserves such as Ranthambore National Park can be adopted.

**3. Illegal Activities (Night Safari, Baiting, etc.)** It is submitted that any instances of illegal practices such as night safari, baiting, or unauthorized entry into wildlife habitats are treated with utmost seriousness and are through enforcement measures in accordance with law.

It is further submitted that the Department has deployed regular patrolling teams, including night patrols, in sensitive areas to prevent illegal activities. Surveillance through camera traps has been strengthened to detect violations, and strict legal action has been taken under the Wildlife (Protection) Act, 1972, particularly under Section 9 thereof. An informer network involving local communities has also been developed to facilitate timely reporting of violations.

It is submitted that these measures have acted as an effective deterrent and have resulted in a noticeable decline in such illegal activities.

**4. Construction Near Leopard Habitat**

The allegation regarding unregulated construction near leopard habitats requires proper contextual understanding of the Jawai landscape, which comprises a mix of forest land, revenue land, private holdings, and community lands.

It is submitted that the Forest Department, within its statutory mandate, has been monitoring activities in ecologically sensitive areas and undertaking necessary measures to regulate human activity in proximity to wildlife habitats. In this regard, the State Government vide order dated 31.03.2015 has already prescribed a regulatory buffer of one kilometre from the notified boundaries of protected areas including Jawai Leopard Conservation Reserve and Kumbhalgarh Wildlife Sanctuary, wherein commercial and industrial activities (including hotels and mining) are prohibited and no land conversion is permitted by revenue authorities. A copy of the notification





dated 31.3.2015 is submitted herewith and marked as **Annexure-R/4.**

Currently there is no rule/policy that can regulate the construction activities in private lands with respect to wildlife movements. The said constructions are largely in private lands which are more or less outside the territorial jurisdiction of the Forest Department.

The NOCs issued by the Forest Department are mainly based on the distance from nearest forest land and/or the nearest Protected Area and any notification in place for the same. Thus the Forest Department does not have a direct control on the construction activity in the revenue areas. A policy level decision to protect such caves from construction in their vicinity is the need of the hour.

#### **5. Regulatory Vacuum due to Revenue Land Status**

Jawai landscape comprises a mosaic of land categories, including forest land, conservation reserve areas, revenue land, private holdings, and community grazing lands. The presence of such mixed land tenure is inherent to the region and does not imply absence of regulatory oversight but definitely a complex one.

It is further submitted that the Forest Department exercises its statutory mandate for protection of wildlife under the Wildlife (Protection) Act, 1972, irrespective of land classification, wherever wildlife and their habitats are present.

It is further submitted that the Forest Department has drafted an SOP and is being consulted with all the stake holders for its finalization which explicitly provides that its applicability extends to all safari and eco-tourism activities across forest land, conservation reserves, revenue land, private land, and community land.

A local level management committee has been proposed in the region for inter-departmental co-ordination in matters of vehicle registration, trainings, violations, habitat protection, corridor management and others across all types of land records.

#### **6. Lack of Institutional Coordination**

The Jawai landscape involves participation of multiple stakeholders and departments, including the Forest Department, District Administration, Police Department, Transport and local bodies. Department, Tourism





Department, Coordination among these entities is inherently required in a landscape of such nature.

It is further submitted that coordination at the field level is already being undertaken through joint enforcement support, particularly in matters relating to prevention of illegal activities, and maintenance of law and order.

It is submitted that, in order to institutionalize and strengthen such coordination, the SOP provides for the constitution of a dedicated inter-departmental body, namely the Jawai Safari & Eco-Tourism Coordination Committee (JSECC), comprising representatives from key departments including the District Collector, Deputy Conservator of Forests, Superintendent of Police, Transport Authorities, Tourism Department, and local representatives.

It is further submitted that the said Committee is designed to function as a structured platform for coordination, consultation, and monitoring of safari and eco-tourism activities, thereby ensuring administrative clarity and accountability.

### **7. Overall Ecological Protection**

Jawai landscape has been recognized as an ecologically sensitive region supporting a significant population of leopards outside traditional protected areas, and the Forest Department has been actively engaged in conservation, monitoring, and regulation of human activities within this landscape.

It is further submitted that the Department has adopted a multi-pronged approach involving enforcement measures, habitat protection interventions, technological monitoring through camera traps and drone surveys, and active community engagement to promote responsible eco-tourism practices.

It is submitted that the preparation of a comprehensive SOP marks a significant step towards institutionalizing landscape-level governance, ensuring that tourism activities are regulated in accordance with ecological principles and statutory mandates.

### **8. Other Issues**

Concerns regarding illegal mining in Jawai Landscape  
Concerns regarding illegal mining in the Jawai landscape are being taken seriously. In this regard, the State





Government vide order dated 31.03.2015 has imposed a restriction on commercial and industrial activities, including mining, within a one kilometre radius from the notified boundaries of protected areas such as Jawai Leopard Conservation Reserve and Kumbhalgarh Wildlife Sanctuary. Thus, any mining activity within this zone is strictly prohibited.

To address instances of illegal mining, a district-level Special Investigation Team (SIT) has been constituted, wherein the Forest Department plays a key role in coordination, monitoring, and enforcement. Regular joint patrolling is being carried out by the Forest Department along with other concerned departments, and strict action is taken as per law whenever any illegal mining activity is detected.

**Concerns regarding barbed Wire Fencing**

The use of barbed wire fencing in the Jawai landscape poses a significant threat to wildlife, particularly leopards, who are prone to getting entangled and injured. In this regard, continuous efforts are made by the Forest Department to discourage local communities from using barbed wire-fencing, especially in areas falling within key wildlife movement corridors.

Awareness and sensitization programs will be conducted to educate residents about wildlife, safe alternatives and the ecological importance of maintaining safe passage for fauna. Further, efforts will be made to mobilize Corporate Social Responsibility (CSR) support and convergence with other schemes to facilitate installation of wildlife-friendly alternatives such as solar-powered fencing, thereby, balancing livelihood security of local communities with conservation objectives.”

16. Learned AAG further submits that draft SOP has been prepared for regulating the safari and other Eco-Tourism Activities in the Jawai Landscape. The contents of which are as follows:-

**“CONTENTS**

CHAPTER I LANDSCAPE OVERVIEW AND CONSERVATION IMPERATIVES	-4
1.1 LOCATION, CONSTITUTION AND EXTENT	4





1.2. BACKGROUND INFORMATION AND ATTRIBUTES	5
1.3. GENESIS OF TOURISM IN JAWAI	8
1.4. CURRENT STATUS OF TOURISM IN JAWAI	9
1.5. NEED FOR A STANDARD OPERATING PROCEDURE	11
1.6. PURPOSE, OBJECTIVES, AND ECOLOGICAL BASIS	11
<b>CHAPTER II STATUTORY BASIS AND ADMINISTRATIVE FRAMEWORK</b>	<b>13</b>
2.1. DEFINITIONS	13
2.2. APPLICABILITY AND SCOPE	13
2.3. LEGAL AND ADMINISTRATIVE CONTEXT	14
2.4 GOVERNANCE AND INSTITUTIONAL FRAMEWORK	15
<b>CHAPTER III SAFARI REGULATION AND ECOLOGICAL SAFEGUARDS</b>	<b>16</b>
3.1 ADMINISTRATIVE CLUSTERS (LANDSCAPE MONITORING UNITS)	16
3.2 CAVE AND HABITAT PROTECTION PROTOCOL	17
3.3 VEHICLE REGISTRATION, OPERATOR ELIGIBILITY, AND GPS MONITORING FRAMEWORK	20
3.4. SAFARI TIMINGS, OPERATING WINDOW, AND ABSOLUTE PROHIBITIONS	23
3.5. TOURIST BEHAVIOUR GUIDELINES	25
<b>CHAPTER IV COMPLIANCE, ENFORCEMENT, AND ADAPTIVE GOVERNANCE</b>	<b>26</b>
4.1 INSTITUTIONAL ROLES AND DEPARTMENT-WISE RESPONSIBILITY FRAMEWORK	26
4.2 ENFORCEMENT POWERS AND PREVENTIVE AUTHORITY	31
4.3 VIOLATIONS AND PENALTY FRAMEWORK	32
4.4 UNDERTAKING AND RENEWAL MECHANISM	33
4.5. IMPLEMENTATION TIMELINE AND PHASED STRENGTHENING	34
4.6. REVIEW, AMENDMENT, AND ADAPTIVE MANAGEMENT	35
<b>ANNEXURES</b>	<b>36</b>
ANNEXURE I ADMINISTRATIVE CLUSTERS OF THE JAWAI LANDSCAPE	36
ANNEXURE II CAVES OF JAWAI LANDSCAPE	37"





17. Learned AAG submits that the lack of coordination with private land owners is also one of the main concern. However, the State is exploring the ways to implement the draft SOP and also invited suggestions from all of the stakeholders. The State is, thus, committed to act to save the eco system and the natural habitat of the leopards.

18. Learned counsel for the petitioner submits that the expert reports, particularly the draft SOP and the submissions made by the learned AAG have fortified the issues raised in the PIL to be genuine and the serious threats to the natural habitats of the leopards in the Jawai landscape is clearly reflected due to the mixed canvas of lands, including Government and private. The counsel submits that the Government is conscious of the issues involving rare species and its protection and that is why the Government of India has gone to the extent of importing Cheetah from South Africa and has tried to rehabilitate them at Kuna National Park where they are directly being monitored at the highest level and has been successful in putting them in the right orbit of survival. The Cheetahs disappeared from the landscapes of our country since long time. The effort made to rehabilitate them is considerably a direct step ahead to protect the nature and preserve the wild life.

19. The learned counsel for the petitioner further submits that even when all the contemplation's were going on by the respondent authorities there was not a single step taken to overcome or rectify the deteriorating conditions which are likely to ensure complete extension of leopards from the region in a short time. The prominent eco tourism destination is a pride for the



State but at the same time the required thrust of policy and positive steps to have a check and balance is not in place and thus the complete eco system of Leopards at Jawai is in peril.

20. Learned counsel further submits that the area in question deserves to be declared as a sanctuary in accordance with the provisions of Sections 8 & 18 of the Wild Life (Protection) Act, 1972, which provides as under:

**"8. Duties of [State Board for Wild Life].** It

*shall be the duty of the [State Board for Wild Life] to advise the State Government,-*

*[(a) in the selection and management of areas to be declared a protected areas;]*

*[(b) in formulation of the policy for protection and conservation of the wild life and specified plants;]*

*(c) in any matter relating to the amendment of any Schedule; [(cc) in relation to the measures to be taken for harmonising the needs of the tribals and other dwellers of the forest with the protection and conservation of wild life; and]*

*(d) in any other matter connected with the protection of wild life which may be referred to it by the State Government."*

**18. Declaration of sanctuary.***[(1) The State Government may, by notification, declare its intention to constitute any area other than an area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural or zoological significance, for the purpose of Protecting, propagating or developing wild life or its environment.]*

*(2) The notification referred to in sub-section (1) shall specify, as nearly as possible, the situation and limits of such area.*

*Explanation. For the purposes of this section it shall be sufficient to describe the area by roads, rivers, ridges or other well-known or readily intelligible boundaries."*





21. This Court while treating it to be a fit case for continuous mandamus deems it appropriate to pass following directions to be strictly adhered to by all the respondents. The counsel for respondents by Mr. Mahaveer Bishnoi, Mr. B.L. Bhati, AAG, Mr. N.S. Rajpurohit, AAG assisted by Ms. Aditi Sharma and Mr. Bharat Vyas, ASG cum Sr. Adv. are directed to ensure strict compliance of the following directions:

**a.** This order which will be operate in the whole Jawai region which includes Villages of Kothar, Velar, Varaval, Lundara, Doodni, Choti Doodni, Rughnathpura, Mori, Mori Bera, Sena, Jeevda, Beesalpur, Balwana, Jawai Bandh Station, Perwa, and other area within the Jawai Leopard Conservation Reserve 1 & 2 which were formed by notification dated 27.02.2013 and 15.06.2018 respectively. Also included would be, all the caves in the area, hills, foot hills corridors in the Jawai region and District Pali which are part of leopards movement and leopards habitat. First of all, in the complete region no constriction shall take place without permission of this Court except for construction in the Abadi of the villages concerned, having the requisite permission. The status qua regarding all commercial tourism establishment or any kind of constrution disturbing the leopards movement, or the leopards area, or the hills or the foot hills shall be maintained. No further tourism license shall be issued for any hotel/resort/guest house/home stays or activities of identical nature.

**b.** The land in questions wherein leopard habitat is there including their natural and spotting sites shall not be disturbed and even where the land use change has been permitted, no change in the status of the core areas of leopards habitate shall be





permitted. Status qua as it exists today shall be maintained qua the entire area and the same shall be ensured by respondent authorities.

**c.** All mining activities in the concerned area shall remain stayed.

**d.** No further barbed wiring and compartmentalization shall be done for any of the land in question till further orders.

**e.** This Court acknowledges the efforts of the IFS Officers, Mr. Kasturi Prashant Sule, IFS Deputy Conservator of Forests, Pali, Mr. Sahil Poswal, IFS, Assistant Conservator of Forests, Pali, Mr. Anoop KR, IFS, Chief Conservator of Forests, Jodhpur and Mr. Pradhuyman, IFS who have formulated the draft SOP. The proposed SOP has been examined by this Court and is of opinion that prima facie it is an expert document prepared by experts, ensuring of an extent that no further depletion of natural habitat of Leopards takes place. The draft SOP shall remain in currency as an effective document and shall be implemented immediately as Standard procedure to be followed for the area in question. It shall be open for the respondents to continue to evaluate the suggestions made by the concerned stake holders regarding the SOP, which shall be duly considered by the forest department and other departments concerned. Until such final SOP comes, the draft SOP shall be implemented. The final SOP shall be placed before this Court and shall be implemented only after taking permission of this Court. The SOP which is proposed and brought on record shall remain in currency and shall be strictly implemented by all the concerned authorities including State Government and Union of India.





**f.** The Jawai Safari & Eco-Tourism Coordination Committee proposed in the SOP in paragraph 2.4.2 shall start functioning straightaway to resolve the issues and finalizing the SOP and making more suggestions to the Court to protect the leopard habitat.

**g.** The conservation imperatives, Administrative Frameworks, Ecological Safeguards, the Enforcement Adoptive Governance which are there in the SOP shall immediately come into force and it is directed that for all the practical purposes, complete area of Jawai whether it is Government land, private land or any other kind of land, the SOP shall operate and the order of this Court shall be strictly complied with.

**h.** The plying of vehicles in the parcel of land earmarked for dam including its over flow area shall also remain stayed, to avoid any kind of damage relating to the wildlife and bird hatchings.

**i.** The night safari shall remain closed, as already directed in the earlier order.

**j.** This Court also directs the State Government, including the department concerned, to consider the feasibility of invoking Sections 8 and 18 of the Act of 1972 for declaring the area in question as a sanctuary, for the purpose of ensuring that the leopard-inhabited region and its ecosystem are protected and restored. The Wildlife State Board shall hold the necessary proceedings in this regard, as expeditiously as possible.

22. List the matter after six weeks. The respondents, i.e., the State Government and the Union of India, shall ensure strict compliance of the directions issued and shall submit an affidavit





narrating the compliance carried out by them on or before the next date.

**(SANDEEP SHAH),J**

**(DR.PUSHPENDRA SINGH BHATI),J**

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